

and policymakers alike is critical to our security. Congress must work to improve information sharing, and we owe it to the American people to make sure that safeguards remain in place to ensure that sensitive personal information is not tossed around inappropriately.

MAYORS SUPPORT THE TERRORIST APPREHENSION AND RECORD RETENTION ACT

Mr. LEVIN. Mr. President, our Nation's gun safety laws do not go far enough to protect our families and communities and may leave us vulnerable to an attack by terrorists using military style firearms legally purchased within our own borders. Current law not only allows a known or suspected terrorist to buy firearms in the U.S., it also requires that records pertaining to the sale be destroyed within a day of the purchase. Congress should take proactive steps to address these shortfalls in our gun safety laws.

Federal law requires that anyone seeking to purchase or obtain a permit to possess, acquire, or carry firearms undergo a background check through the National Instant Criminal Background Check System, or NICS. This process requires the applicant to provide a variety of personal information including name, date of birth, current residence, and country of citizenship which is then compared with data in the NICS system to determine whether or not the person is prohibited by law from receiving or possessing firearms. Disqualifying criteria includes such things as felony convictions and fugitive or illegal alien status.

As part of the background check, applicants are also checked against known terrorist watch lists. However, under current law, membership in a known terrorist organization does not automatically disqualify an applicant from receiving or possessing a firearm. In cases where a positive match is made, federal authorities search for other disqualifying information. If no disqualifying information can be found within three business days, the transaction is permitted to continue. In addition, all records pertaining to a positive match of an applicant to a terrorist watch list must, under current law, be destroyed within 24 hours if no disqualifying information is found.

I have cosponsored the Terrorist Apprehension Record Retention Act introduced by Senator LAUTENBERG. This bill would require that in cases where an NICS background check turns up a valid match to a terrorist watch list, all records pertaining to the transaction be retained for ten years. In addition, the bill requires that all NICS information be shared with appropriate federal and state counterterrorism officials anytime an individual on a terrorist watch list attempts to buy a firearm. This is only common sense.

The U.S. Conference of Mayors, which represents some 1,183 cities

around the country, adopted a resolution strongly supporting the Terrorist Apprehension and Record Retention Act at their 2005 annual meeting. The resolution cites a report by the General Accountability Office which found that from February 3, 2004 through June 30, 2004, a total of 44 firearm purchase attempts were made by individuals designated as known or suspected terrorists by the federal government. This is an alarming statistic. I ask unanimous consent that a copy of the resolution adopted by the U.S. Conference of Mayors be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

THE TERRORIST APPREHENSION AND RECORD RETENTION (TARR) ACT

Whereas, neither suspected nor actual membership in a terrorist organization by itself prohibits a person from owning a gun under current law; and

Whereas, beginning in November of 2003, the U.S. Department of Justice directed the FBI to revise its procedures to better ensure that suspected members of terrorist organizations who have disqualifying factors do not receive firearms in violation of the law by automatically delaying responses to provide more time to check data; and

Whereas, in January of 2005, the U.S. Government Accounting Office (GAO) released a report entitled, "Gun Control and Terrorism: FBI Could Better Manage Firearm-Related Background Checks Involving Terrorist Watch List Records"; and

Whereas, that report found that from February 3 through June 30, 2004, a total of 44 firearm related background checks handled by the FBI and state agencies resulted in valid matches with terrorist watch records, and of this total 35 transactions were allowed to proceed because the checks found no prohibiting information, such as felony convictions, illegal immigrant status, or other disqualifying factors; and

Whereas, the report states, "GAO recommends that the Attorney General (1) clarify procedures to ensure that the maximum amount of allowable information from these background checks is consistently shared with counterterrorism officials and (2) either strengthen the FBI's oversight of state agencies or have the FBI centrally manage all valid match background checks. The Department of Justice agreed."; and

Whereas, legislation has been introduced in the U.S. Senate and House of Representatives entitled the "Terrorist Apprehension and Record Retention (TARR) Act"; and

Whereas, the TARR Act amends the Federal criminal code to provide that if the national criminal background check system indicates that a person attempting to purchase a firearm or applying for a State permit to possess, acquire, or carry a firearm is identified as a known or suspected member of a terrorist organization in records maintained by the Department of Justice or the Department of Homeland Security, including the violent Gang and Terrorist Organization File or records maintained by the Intelligence Community: (1) all information related to the prospective transaction shall be automatically and immediately transmitted to the appropriate Federal and State counterterrorism officials, including the Federal Bureau of Investigation (FBI); (2) the FBI shall coordinate the response; and (3) all records generated in the course of the check that are obtained by Federal and State officials shall be retained for at least ten years. Now, therefore, be it

Resolved, That the U.S. Conference of Mayors strongly supports the Terrorist Apprehension and Record Retention Act (TARR), and urges that it be passed by Congress and signed into law by the President.

Mr. LEVIN. Mr. President, the U.S. Conference of Mayors recognizes the importance of preserving records of gun purchases by known terrorists and the important role they could potentially play in uncovering a terrorist attack before it is carried out. We owe it to all Americans in this era of heightened risk of terrorist attack to do all we can to protect their safety.

INTEGRITY IN PROFESSIONAL SPORTS ACT

Mr. DOMENICI. Mr. President, I rise to express my support for the Integrity in Professional Sports Act, S. 1960. I am deeply troubled by the accounts of children and professional athletes who use anabolic steroids and other performance-enhancement drugs. The effects of taking steroids are not only physiological, but psychological. Experts have testified before Congress that steroid use creates an increased propensity for aggressive and sometimes criminal behavior. It is clear to me that the use of performance enhancing drugs reveals a number of problems, one of which is a problem of character.

As many of my colleagues may know, for the past 12 years, I have been involved in a grassroots program to promote character education for our country's children. The Character Counts program is an important grassroots effort that I am proud to have supported. Most recently, on October 7, 2005, 28 Senators joined Senator Christopher Dodd and I in sponsoring a resolution to designate "National Character Counts Week." The program promotes six fundamental and universal pillars of good character. Those are trustworthiness, respect, responsibility, fairness, caring, and citizenship. A central premise of the Character Counts program has held that children across the country depend on social institutions and leaders for the development of good character. For children, these leaders and role models are often found on the rosters of professional sports teams. When our children see professional athletes engaging in the use of steroids, they begin to question the importance of pillars such as trustworthiness, responsibility, and fairness.

Speaking as a former baseball pitcher for the University of New Mexico and the Albuquerque Dukes, I cannot emphasize enough the importance of trustworthiness and fairness in sportsmanship. As athletes, my teammates and I understood that the integrity of the game depended on knowledge that your competitors brought no advantage other than talent and hard work to the playing field. To think that your competitors used steroids to enhance their athletic performance would mean that the game itself was compromised.